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CLAIDE MANUEL

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

CLAIDE MANUEL,

Plaintiff,

vs.

TARGET CORPORATION; JOHN  
DOES 1-10; JANE DOES 1-10; DOE  
PARTNERSHIPS 1-10; DOE  
CORPORATIONS 1-10; and DOE  
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO. 22-00399 LEK-RT  
(Non-Vehicle Tort)

FIRST AMENDED COMPLAINT

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Comes now Plaintiff CLAUDE MANUEL above named, by and through his attorneys, Glenn T. Honda, and George C. Alejandro, for causes of action against Defendants, alleges and avers as follows:

1. At all times material to this Complaint, Plaintiff CLAUDE MANUEL (hereinafter referred to as “Plaintiff” or “MR MANUEL”), is and was a resident of the City and County of Honolulu, State of Hawaii.

2. At all times material to this Complaint, Defendant TARGET CORPORATION (hereinafter “Defendant” or “Target”) is and was a foreign profit corporation doing business in the City and County of Honolulu, State of Hawaii.

3. All events material to this Complaint occurred within the City and County of Honolulu, State of Hawaii.

4. Plaintiff reviewed records of the Department of Commerce and Consumer Affairs in order to ascertain the true and full names and identities of all Defendants in this action, but has no further knowledge or information regarding the parties responsible and is unable to ascertain the identity of the Defendants in this action designated as JOHN DOES 1-10, JANE DOES 1-10, DOE PARTNERSHIPS 1-10, DOE CORPORATIONS 1-10 and DOE GOVERNMENT ENTITIES 1-10 (hereinafter collectively referred to as “Doe Defendants”); said Defendants are sued hereunder under fictitious names for the reason that their true

names and identities are unknown to Plaintiff except that they may be connected in some manner with Defendants and may be agents, servants, employees, employers, representatives, co-venturers, associates, or independent contractors of Defendants and/or were in some manner presently unknown to Plaintiff engaged in the activities alleged herein and/or were in some manner responsible for the injuries or damages to Plaintiff and their “true names, identities, capacities, activities, and/or responsibilities” are presently unknown to Plaintiff or his attorneys.

5. On or about November 18, 2020, MR. MANUEL, was a customer at TARGET located at 345 Hahani Street, Kailua, Hawaii (the “Store”).

6. On or about November 18, 2020, the Store was operated by, in the possession of and/or under the control of Defendant TARGET CORPORATION.

7. As a possessor of land, Defendant TARGET CORPORATION, owes a duty of care to all persons which it should reasonably anticipate to be on its premises, such that said persons are not exposed to an unreasonable risk of harm.

8. On or about November 18, 2020, MR. MANUEL, a customer at the store, was a person whom Defendant TARGET CORPORATION, reasonably should have expected to be on its premises.

9. On or about November 18, 2020, Defendant TARGET CORPORATION, breached its duty of care by failing to properly design, clean, furnish, construct and/or maintain the walking surfaces and/or walking areas in or around the store, such that it thereby allowed said walking areas to pose an unreasonable risk of harm to the store's customers, including MR. MANUEL.

10. Defendant TARGET CORPORATION, breach of its duty of care as set forth herein constituted negligence.

11. As a result of Defendant TARGET CORPORATION's negligence, MR. MANUEL slipped and fell and was thereby injured while walking into the store.

12. As a direct and proximate cause of the negligence of Defendant TARGET CORPORATION's and/or one or more of the DOE DEFENDANTS, jointly and/or severally, MR. MANUEL, suffered serious bodily injury, severe pain and suffering, severe emotional distress, past and future loss wages, medical and/or rehabilitative expenses and/or special damages and amounts to be proven at trial.

WHEREFORE, Plaintiff herein demands judgment against Defendants as follows:

- A. General damages in amounts to be proven at the time of trial;
- B. Special damages in amounts which will be proved at trial;

C. Attorney's fees, costs of suit, pre-judgment interest from the date of the accident, and such other and further relief as this Court deems just and proper.

DATED: Honolulu, Hawaii, February 10, 2023.

/s/ George C. Alejandro  
GLENN T. HONDA  
GEORGE C. ALEJANDRO  
Attorneys for Plaintiff  
CLAIDE MANUEL